

the witness went on as before answering questions without end.

ADJOURNED UNTIL WEDNESDAY.

After the witness finally left the stand the committee went into a discussion of plans for future work. The defense was done and the rebuttal was the thing next in order. The prosecution had no rebuttal witnesses at hand and a recess was necessary. After statements from either side it was finally determined to adjourn until Wednesday evening next at 8 o'clock. At that time the rebuttal will begin. Judge Love thinks he will get through with it in one day, but Mr. Strode is doubtful. Twenty subpoenas have been allowed them.

With the announcement of the committee came the scattering of the forces in all directions. The throng which throughout the investigation has crowded the hall suddenly melted away. Counsel for either side hurried out of town. Judge Campbell himself went back at once to Amherst to attend the funeral of his father-in-law, Thomas W. Parr, who died during the presence of Judge Campbell here. Next week he will open his court.

The really exciting part of the investigation is now over. The rebuttal will, of course, be confined to matters already in evidence, and hence there will be no new things. One bright star, however, looms up in the distance—the argument, to which all are looking with keen anticipation.

THE MORNING SESSION

Judge Campbell Grows Animated at Times—The Evans Affair.

The expected cross-examination of the defendant drew forth a great attendance in the morning, and when the session began there was not an inch of room in the house to spare. Great numbers stood throughout the long day and seemed not fatigued.

Major Conrad opened up with a shot at the newspapers. He said it had been stated in the morning's paper, which he had read near him, that on the day previous he grew impatient. "I certainly was not impatient of the fact," he declared. "If I was impatient I beg that also should be will pardon me. I hope everybody will consider himself apologized to."

Judge Campbell took the stand again, as before, he was eminently calm and collected. Some of this calmness departed before the session ended. The witness frequently grew animated, to say the least. Now, however, he appeared utterly indifferent to the curious eyes peering at him.

SOME DIRECT EXAMINATION.

Before he permitted the cross-examination of the witness to proceed, Major Conrad said he wished to ask him some more questions. He thought he was through last night, but also noted that he overlooked certain minor matters. Then he went into these matters:

"Something was said here about your habit of carrying that riding whip. I wish you would state to the committee if you took that whip there to thrash that old gentleman, or why you too it."

"Of course, I did not take it there for that purpose. Since I have owned my farm, and since I had an accident some time ago when I injured my knee, I have been riding horseback a good deal and from court. I frequently carry a little whip."

"Did you ever taken that whip into court before?"

"I think I have."

"THE PRESIDENT BOTTLE."

"Now, passing to another matter—you have heard the testimony of Mr. Sandige, who says you loaned him a prescription bottle which he got filled, and from which you and others in your office took a drink. It was a bottle of Mr. Birke that you said you kept the prescription bottle for your friends. Now tell me what, if any, of this is true."

"When did Mr. Sandige say it occurred?"

"In 1900."

"Well, gentlemen, the statements are not correct. It was true that I did represent Mr. Sandige's wife, and that Mr. Sandige came to my office with several witnesses to take deposition. This occurred on November 18, 1898. I have the deposition here and I will read some of them to fix the case at this time."

"I really don't think that is necessary, Judge Campbell," said Chairman Southall, "once or twice as the witness was going to clear up the details. Just state whom you examined on that day, and if there was and other time when they were examined by you."

"The witnesses mentioned by Mr. Sandige were examined by me in November, 1898. Then now say there was another case. I admit there was another case in which Mr. Sandige was interested, but there were no depositions taken and there was no report of their trial."

"Mr. Sandige and the others have testified that you had a bottle. One says it was a bottle; another says it was a whiskey bottle—a third says it was a prescription bottle. Which one of you kept for the benefit of your friends. What about this?"

"Gentlemen, as I said, the witnesses met in my office and I took their depositions. When we were through Mr. Sandige said something about compensation for the witnesses for their trial. With the exception of one or two negroes, perhaps, they declined to be paid, and Mr. Sandige said he would get them a drink if he had a bottle. He turned to me and asked me if I had any whiskey, and I replied that I did not. He said I did not keep any in my office. He then asked if I had a bottle. I replied that I didn't know, but I would look for one. Hunting around I found a bottle, which I gave him. He said, 'That's all. There was absolutely nothing said about any prescription bottle which I kept for my friends.'"

"Did Mr. Sandige get the whiskey?"

"Yes, sir."

"Did you drink any of it?"

That Tired Feeling

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Boys, same way.

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"Yes, sir."

"You would have been a very remarkable man if you did not."

"Yes, sir. I drank some of it, and I am not here to apologize for it. When ever I want a drink I take it. There is nothing to be ashamed of. And, besides, it happened before I was judge."

"Before you were judge?"

"Yes, sir."

For the next few moments Major Conrad asked Judge Campbell about some minor points in connection with his former testimony and in connection with Higgins, both on and off the stand. Then he stated that he was through.

"I have covered the case as well as I could, Judge Campbell," said Major Conrad. "If there is any other statement you wish to make, you may now proceed."

"I do wish to make another statement—a personal one, if I am allowed."

"I wish to state that when I was riding horseback a good deal and from court, I frequently carry a little whip."

"Did you ever taken that whip into court before?"

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"Did Mr. Sandige get the whiskey?"

"Yes, sir."

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"I think that is an improper question," said Chairman Southall. "It is going beyond his election to office where we drew the line of the inquiry."

"Mr. Chairman, the matter about which I am inquiring was brought out yesterday on the examination in chief. You were not here then and you don't know."

"Yes, it was," said Mr. Sipe from the distance, "and I don't see why the witness can't be cross-examined about it."

"I didn't know that," said Mr. Southall. "You may proceed, Judge Campbell."

"Well, the facts were these: B. B. Campbell resigned and Governor Tyler appointed me to succeed him. Senator Massie, who asked him to appoint me, told the Governor that half the bar were for me, and the majority of the other wanted the judgeship themselves. But the people were for me. Governor Tyler made the appointment, and sometime after the Legislature confirmed the appointment."

"I know that, Judge Campbell, but what I want to know is this: Is it not true that at the time the resignation of B. B. Campbell was unknown to the bar and the people?"

"That is not a proper question, Judge," said Chairman Southall. "It goes back beyond the point from which we are investigating."

Some little discussion followed, and Judge Love said he would suspend questioning along this line for the present. Later on he came back to it.

"Is it not true that at the time you were elected to the judgeship?"

"If that is about the same matter, Judge Love, I think the committee is pretty well agreed that it is out of order."

"I wish it distinctly understood by Judge Love and by you, gentlemen of the committee, and by everybody that I am perfectly willing to answer the questions."

"But we are not willing," said the chairman.

"I think I can show that the questions are relevant," said Judge Love. "However, I'll leave the matter again for the present."

ABOUT THE ASSAULT.

"Did you ride to the courthouse on the 24th of June, the day of the assault?"

"Yes, sir."

"Where did you take your horse?"

"In front of my office."

"Where did you then go?"

"Into the office."

"Did you go from the office to the court?"

"I did."

"Your papers, your grip, came and other things were carried then from your office to the court?"

"Yes, sir."

"Was it your purpose after the case to come back to that point and get your horse?"

"I had to come to Richmond that evening and I didn't intend to go back to the office, but merely to get on my horse and go straight home."

"You said that when you came down out of court after the trial you wished to avoid the crowd. You stepped a few feet aside and stood where all the crowd was?"

"I cared nothing about the crowd. All I wanted to do was to get out of it and get somewhere where I could talk to Mr. Turner."

"You made the statement that while you were just turning to go away you saw Judge Mann coming out. Wasn't it just a few moments before that you passed from Judge Mann?"

"No, sir; as I went by him in the court room he said something pleasant. That is all."

"You said that when you were telling Judge Mann about your case, a hand poked at you, and that it was Dr. Crawford's. You further said that where he came from God only knows. When you turned to go to Judge Mann's room you saw in plain view of Dr. Crawford and of you him?"

"When a thing is in plain view to you you see it. I didn't see Dr. Crawford, or he wasn't in plain view. I am not a prosecuting attorney."

"Is there any obstruction in the way?"

"If you call a hundred or two people pouring out of court room an obstruction, then there was an obstruction."

Judge Campbell thereupon reiterated his statement concerning the position in which he was placed when the assault occurred.

"Mr. Turner has said," continued Judge Love, "that he saw your trap there that day. You say you came on horseback."

"Had what?" asked Major Conrad, turning around suddenly.

"His trap."

"His buggy."

"Oh! I thought somebody had set a trap for Campbell," said the Major with a laugh.

"It was his own trap," said Judge Love.

"Mr. Turner was mistaken about the trap," said the witness, "and he has acknowledged to me that he was incorrect. I came to the courthouse on horseback. I went to the depot in a trap. Mr. Turner got the two times mixed."

"A trap?"

"You say, Judge Campbell, that in the trial of the Smith cases, that upon the information coming to your knowledge that one of the prosecutors had given the jurymen whiskey, you are of the impression that you granted a new trial. I did believe so two weeks ago."

"I have examined the records since and find that I did not grant a new trial. I gladly make the correction."

"Is it not a fact that the Supreme

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the case was when he was in my room at Ford's Hotel. Then, as I said, he expressed, I think, regret at the occurrence of the assault."

"Didn't he say that if he had been in your place he would probably have used the heavy stick you carried, instead of the little whip?"

"I don't think so. Look to his testimony in the record."

"An analysis of that said it."

Major Conrad expressed a desire to find the record, and the committee took a recess for fifteen minutes. When the gentlemen returned to the room Judge Love read from the testimony of Judge Wood, in which the latter had stated that he would probably have done likewise in the assault, and that he would probably have used the stick. Judge Wood, however, merely had the thought in his head. It didn't even enter into the thought.

"Judge Campbell, you heard the testimony of Judge Wood. Didn't you have reason to believe that Judge Wood had sympathies in favor of you?"

"No, sir."

"Didn't he express sympathy for you?"

"Not exactly. More of regret at the occurrence than of sympathy."

"He says he expressed sympathy."

"I am not responsible for what he said or thought. I am speaking for Campbell, and not Wood."

"Then Judge Wood was mistaken?"

"I didn't say that. I merely said that I took him to mean that he regretted the assault."

TRIPS IN COUNTY.

Judge Love went on to question the witness closely about his relations to Judge Wood. Judge Campbell said he had never promised the Philadelpia Jury to support him for the circuit bench. He was very emphatic in his statements in this particular. The cross-examiner then went on to take up another of the statements made Friday.

Before your trial on the charge of assault—do I understand that you said you didn't ask any of your friends and acquaintances to be present at the trial?"

"Yes, sir."

"Do you recall a trip over the county just before the trial?"

"I may have made such a trip. I frequently go about the county. I have a considerable law practice."

"You don't practice law in the county, do you?"

"Yes, sir. I get my practice and keep it by visiting my clients."

"You don't remember just why you took this particular trip?"

"I do not."

"Do you remember a particular trip you made to Pedlar District?"

"I may have gone to Pedlar."

"Why?"

"I am interested in the people of Pedlar and I frequently go there."

CAMPAIGN AFFAIRS.

"Reverting to June 30, 1900, Judge Campbell—do I understand that you said no money or whiskey was used by your side in the Flood-Loving campaign at that time?"

"I think money and whiskey were freely used on both sides."

"On the Flood side, you mean?"

"No, sir; I mean on the Loving side as well as on your side."

"That's all news to me."

"Mr. Bowen has testified that he gave voters drinks, and on your authority bought whiskey for use in that election—that he took a jug of whiskey to your office."

"It is all absolutely untrue."

"Did Mr. Bowen drink any whiskey?"

"I have heard that he was for Flood, but drank Loving whiskey."

Hot questions were then fired at the witness about the influence he exerted, or is said to have exerted, over some of the factors of the election. Judge Love wanted to know if Campbell had given these "illegal voters" money. Chairman Southall ruled that no

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